

1 HON. SALVADOR MENDOZA JR.
2
3
4
5

SALLY W. HARMELING, WSBA No. 49457
ROBERT R. SIDERIUS, WSBA No. 15551
PETER A. SPADONI, WSBA No. 11390
JOSEPH Q. RIDGEWAY, WSBA No. 53438
Jeffers, Danielson, Sonn & Aylward, P.S.
P.O. Box 1688
Wenatchee, WA 98807-1688
(509) 662-3685 / (509) 662-2452 FAX

6 UNITED STATES DISTRICT COURT
7
8

EASTERN DISTRICT OF WASHINGTON

9 EVANS FRUIT CO., INC., a Washington
10 Corporation; WGE HOLDINGS, LLC, a
Washington Limited Liability Company;
McDOUGALL FAMILY FARMING,
11 INC., a Washington Corporation;
McDOUGALL & SONS, INC., a
Washington Corporation; DOUBLE S
12 ORCHARDS, LLC, a Washington
Limited Liability Company; COLUMBIA
13 FRUIT PACKERS, INC., a Washington
Corporation; COLUMBIA ORCHARD
14 MANAGEMENT, INC., a Washington
Corporation; and WADE & WADE, LLC,
15 a Washington Limited Liability Company,

NO. 1:19-cv-03202-SMJ

[PROPOSED] ORDER GRANTING
PLAINTIFFS' VOLUNTARY
DISMISSAL

16 Plaintiffs,

17 vs.

18 UNITED STATES DEPARTMENT OF
19 LABOR;

20 PATRICK PIZZELLA, in his official

[PROPOSED] ORDER GRANTING PLAINTIFFS'
VOLUNTARY DISMISSAL

Page 1

47J6622

JEFFERS, DANIELSON, SONN & AYLWARD, P.S.
Attorneys at Law
(509) 662-3685 / FAX (509) 662-2452
2600 Chester Kimm Road / P.O. Box 1688
Wenatchee, WA 98807-1688

1 capacity as Acting United States Secretary
2 of Labor;

3 JOHN P. PALLASCH, in his official
4 capacity as Assistant Secretary of Labor,
5 Employment & Training Administration,
6 United States Department of Labor;

7 CHERYL M. STANTON, in her official
8 capacity as Administrator of the Wage &
9 Hour Division, United States Department
10 of Labor;

11 Defendants,

12 and

13 STATE OF WASHINGTON
14 EMPLOYMENT SECURITY
15 DEPARTMENT;

16 Defendant-Intervenor.

17 THIS MATTER having come on duly and regularly before the undersigned Judge,
18 in the above-entitled Court, on Plaintiffs' Notice of Voluntary Dismissal, and the Court,
19 having reviewed the files and records herein, and being fully informed in the premises,
20 hereby **DISMISSES** this action **WITHOUT PREJUDICE**.

ENTERED this ____ day of November, 2019.

Hon. Salvador Mendoza Jr.
United States District Judge

[PROPOSED] ORDER GRANTING PLAINTIFFS'
VOLUNTARY DISMISSAL

Page 2

47J6622

JEFFERS, DANIELSON, SONN & AYLWARD, P.S.
Attorneys at Law
(509) 662-3685 / FAX (509) 662-2452
2600 Chester Kimm Road / P.O. Box 1688
Wenatchee, WA 98807-1688

1
2
3
4
5 Presented by:

6 s/ Sally W. Harmeling
7 SALLY W. HARMELING, WSBA No. 49457
ROBERT R. SIDERIUS, WSBA No. 15551
PETER A. SPADONI, WSBA No. 11390
JOSEPH Q. RIDGEWAY, WSBA No. 53438
JEFFERS, DANIELSON, SONN & AYLWARD, P.S.
2600 Chester Kimm Road
P.O. Box 1688
Wenatchee, WA 98807-1688
Telephone: 509-662-3685
Fax: 509-662-2452
Email: sallyh@jdsalaw.com

12 Attorneys for Plaintiffs Evans Fruit Co., Inc.; WGE
Holdings, LLC; McDougall Family Farming, Inc.;
McDougall & Sons, Inc.; Double S Orchards, LLC;
Columbia Fruit Packers, Inc.; Columbia Orchard
Management, Inc.; and Wade & Wade, LLC

13
14
15
16
17
18
19
20 [PROPOSED] ORDER GRANTING PLAINTIFFS'
VOLUNTARY DISMISSAL

Page 3

47J6622

JEFFERS, DANIELSON, SONN & AYLWARD, P.S.
Attorneys at Law
(509) 662-3685 / FAX (509) 662-2452
2600 Chester Kimm Road / P.O. Box 1688
Wenatchee, WA 98807-1688

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of November, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System. Notice of this filing will be sent to the parties listed below by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Brendan Selby
Jonathan D. Pitel
Eric D. Peterson
John T. Drake
Rudolf J. Verschoor
Vanessa R. Waldref
Assistant United States Attorney
PO Box 1494
Spokane, WA 99210-1494
Email: rudy.j.verschoor@usdoj.gov
Vanessa.R.Waldref@usdoj.gov
John.drake2@usdoj.gov
Ericd.peterson@atg.wa.gov
Jonathan.pitel@atg.wa.gov
Brendan.selby@atg.wa.gov

DATED at Wenatchee, Washington this 4th day of November, 2019.

By s/Sally W. Harmeling
SALLY W. HARMELING,
JEFFERS, DANIELSON, SO
2600 Chester Kimm Road
P.O. Box 1688
Wenatchee, WA 98807-1688
Telephone: 509-662-3685
Fax: 509-662-2452
Email: sallyh@jdsalaw.com

[PROPOSED] ORDER GRANTING PLAINTIFFS' VOLUNTARY DISMISSAL

JEFFERS, DANIELSON, SONN & AYLWARD, P.S.
Attorneys at Law
(509) 662-3685 / FAX (509) 662-2452
2600 Chester Kimm Road / P.O. Box 1688
Wenatchee, WA 98807-1688